

**MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
MAY 14, 2001**

000191

EXECUTIVE SESSION Regarding pending litigation	6:30 p.m. Adjourned 6:55 p.m.
CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	All present
MINUTES OF PREVIOUS MEETING 1. City Council Regular Meeting, May 7, 2001.	Approved as corrected.
AUDIENCE PARTICIPATION Regarding the State Street project: Art Hoffman, Mary Kirkland, Larry Hansen, Tony Bundy, Marilyn Hanan-Hoover, George Pepelnjak, Roy Isaksen, Jim Rowley, Gordon Arlin, Ron Jenkins, Mike Kossak, Connie McGuinness, Scott Dankel, Earl Spitzer, Marja Oosterwyck.	
PRESENTATIONS/PETITIONS/COMMUNICATIONS 1. Proclamation: May 13-19, 2001 as Little League Week. Accepted by Dennis Burman.	
CONSENT AGENDA	
1. Approve MAY 14, 2001 claims in the amount of \$361,255.10 paid by check Nos. 58929 through 59027.	Approved
2. Approve April, 2001 payroll in the amount of \$928,629.82 paid by check Nos. 40525 through 40710 with check No. 40710 void.	Approved.
3. Reject all computer equipment bids due to the irregularity of the bids.	Approved.
ACTION ITEMS	
REVIEW BIDS None.	
PUBLIC HEARING None.	
CURRENT BUSINESS 1. Planning commission recommendation for 116th Street Master Plan 2. Utility service outside city limits	Approved 116 th Street Master Plan. Scheduled for workshop on July 2.
NEW BUSINESS 1. Professional services agreement, wastewater treatment plant design, Tetra Tech/KCM and Hammond, Collier, Wade Livingstone Associates, Inc. 2. Proposal to videotape city council meetings for airing on Marysville Cable Access Channel TV 29. 3. Loan agreement with Public Works Trust Fund; \$50,000 - Comprehensive Water Plan	Approved. Approved taping two sample meetings, then airing meetings live. Approved.
LEGAL MATTERS None.	
ORDINANCES AND RESOLUTIONS	
1. An Ordinance of the City of Marysville amending Chapter 2.04 of the Marysville Municipal Code relating to time and place of council meetings.	Approved Ordinance 2376.
2. A Resolution of the City of Marysville relating to procedures for the conduct of business at council meetings and repealing Resolution No. 1925	Approved Resolution 2035.
INFORMATION ITEMS	
None.	
ADJOURN INTO EXECUTIVE SESSION	12:20 a.m.
RECONVENE INTO REGULAR SESSION	12:55 a.m.
Settle Whitesell matter as discussed in Executive Session.	
ADJOURN	1:00 a.m. on May 15, 2001

**MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
MAY 14, 2001**

EXECUTIVE SESSION

The Mayor advised that an Executive Session regarding pending litigation, not potential litigation as had been stated in the announcement, had been held prior to the commencement of the regular session. The Executive Session began at 6:30 p.m. and adjourned at 6:55 p.m. He further advised council that an Executive Session would be needed at the conclusion of this meeting.

CALL TO ORDER/FLAG SALUTE

The regular meeting was convened by Mayor Weiser at 7:00 p.m. in the Council Chambers, and the assemblage joined in the flag salute.

A voice roll call was conducted. Attendance was as follows:

<p>Councilmembers Present: Dave Weiser, Mayor Mike Leighan, Mayor Pro Tem Shirley Bartholomew Jim Brennick NormaJean Dierck Donna Pedersen Suzanne Smith John Soriano</p>	<p>Administrative Staff present: Mary Swenson, Chief Administrative Officer Ralph Krusey, Police Commander Gloria Hirashima, City Planner Grant Weed, City Attorney Ken Winckler, Public Works Director</p>
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MINUTES OF PREVIOUS MEETING

1. City Council regular meeting, May 7, 2001. 7 *OW*

Councilmembers noted the following corrections.

- Page 3, included in the motion was a request for information regarding the parking spots that would be eliminated on the street. Mr. Winckler said that information had been supplied by memo to the Mayor.
- Page 4, first motion: motion carried (6-1).
- Page 5, first motion: motion carried (7-0).

Councilmember Dierck noted that her approval of the April 9 Minutes was given with the understanding that a verbatim transcript of the dialogue under New Business would be provided. Ms. Swenson said there was a backlog, which had delayed that but they would soon be forthcoming.

MOTION by Dierck, second by Brennick, to approve the minutes of the May 7, 2001 regular council meeting as corrected. Motion carried (7-0).

AUDIENCE PARTICIPATION

Art Hoffman, 16829 71st Dr. NE, Arlington, stated he had owned property on State Street since 1974. He had not received a notice until May 4th regarding the proposed changes. He expressed concern that the changes had already been approved and would negatively impact the flow of traffic to businesses on State. Mayor Weiser responded that the planning process had been going on for many years. A workshop to hear the results of the Value Engineering study and to hear staff's recommendations for changes was scheduled for June 18 with council action scheduled for the agenda on June 25. Councilmember Pedersen added some history of the many meetings that were held and that had been attended by the downtown merchants. Mr. Hoffman stated that he

had heard nothing further about the plans since the Rotary meeting where the University of Washington students presented plans.

Mary Kirkland, 13004 Hilltop Road, Arlington, stated she was the owner of Hilton Pharmacy on 3rd and State. She had previously been a proponent of the State Avenue beautification plan but since a recent meeting of business owners in the area she now had concerns about the ability of many of them to survive the proposed changes. She asked council to establish a dialogue with the merchants which would allow the upgrading of the traffic flow and landscaping to continue but with solutions regarding parking, signage, the undergrounding of utilities, and the changes to facades. Mr. Weed noted that there were limits on how far the city could go to simply provide parking because of the prohibition of the gifting of public funds. There would be severe constitutional limits on taking money out of the General Fund and buying space to build a parking facility to benefit private property owners. Some form of participation from the business people and downtown property owners would be required. Councilmember Pedersen reported on her informal review of available parking spots. She noted that stopping the project would mean the city would have to return \$1.2 Million which was needed to improve traffic flow in preparation for the upgrade to four lanes of the Ebey Slough bridge. She questioned the motives of those councilmembers who were fanning the flames of the merchants' dissatisfaction, noting that election time was nearing. Councilmember Dierck objected to Councilmember Pedersen's remarks.

Larry Hansen, 8627 157th PL NW, Stanwood, added his concerns regarding the State Avenue project. He stated a couple of the councilmembers had come to help the businesses and there were now 60 businesses represented who wanted the city to involve them in the planning before further plans were implemented.

Tony Bundy, 7519 Eagle Field Dr., Arlington, stated he owned property at 7th and State. He had not seen the State Avenue plans until May. He expressed concern about the project. His store had just had its biggest month ever with the street in its current configuration. He suggested eliminating the median strips and the bulb-outs, and finding a parking solution.

Marilyn Hanan-Hoover, 9923 21st Ave. SE, Everett, Branch Manager of Frontier Bank, Marysville, spoke against the State Avenue project, indicating she had not received notification of the proposed project during the two years she had managed that branch. She repeated the concerns that had been voiced earlier.

George Pepelnjak, 22104 McMurray Shore Dr., Mt. Vernon, spoke against the State Avenue project for the same reasons as previously expressed. He felt the plan had serious financial consequences to businesses and they might consider placing their taxes into an escrow account for six months to show the impact of their contribution to the city. He suggested implementing an advisory committee that would include more business participation. He requested copies of the minutes from this meeting for his company.

Roy Isaksen, 13116 11th Ave. NE, stated he owned property on State Avenue; he spoke in opposition to the project.

Jim Rowley, 1950 E. Blaine St., Seattle, stated he owned several properties and a business on State Avenue. He spoke in opposition to the project because adequate parking was the most critical thing for business success.

Gordon Arlin, 4725 87th Street SW, Mukilteo, stated he owned Bargain CDs and Records on State. He spoke in opposition to the proposed project.

Ron Jenkins, 14316 56th Dr. NE, stated his business was Fanticycle on Grove Street, which had been at that location 14 years. He recounted that when Safeway remodeled and the then current requirements for signage and landscaping were implemented his business was negatively impacted. He spoke against the proposed State Avenue project because of similar negative impacts it would have on the downtown merchants.

Mike Kossak, 6629 67th Dr. NE, stated he was in the process of signing papers to become the landlord of the Golden Corral Restaurant property on State. He spoke in opposition to the proposed project.

Connie McGuinness, 3311 Schwartzmiller Rd, Lake Stevens, spoke for the out-of-state property owners of 3rd and State. She spoke against the proposed project.

Scott Dankel, 4506-B 129th Street, a city resident, spoke against the proposed State Avenue project.

The Mayor urged all interested parties to attend the workshop on June 18th. Ms. Swenson noted that pursuant to the council's proposed changes in the conduct of its meetings, the workshop would be open to public attendance but no public comments would be taken.

MOTION by Dierck, second by Smith, to allow public comments at the June 18 workshop. On roll call vote, motion carried (7-0).

MOTION by Smith, second by Dierck, to allow the continuation of further public comments on this topic at this meeting. Motion carried (7-0).

Earl Spitzer, 3122 137th Ave. NE, Lake Stevens, requested that staff respond to the questions, which had been asked about the State Street project.

Mr. Winckler gave a brief explanation of the undergrounding of utilities, noting the city would pay for that portion going to the sidewalk and the property owner would pay from there to the building. Councilmember Brennick suggested conversions were expensive and would cost between \$3,000 and \$10,000 each. Mr. Winckler noted that the project's design had only just been completed and had not yet been circulated. Regarding signs in the rights-of-way, if they needed to be moved, they would have to be moved back onto private property. Landscaping would be carefully reviewed so as not to block signage. Staff would attempt to meet with every merchant on State to discuss signage on a case-by-case basis. Regarding sidewalks, the city's 50-50-replacement program did not apply on this project. Curbs, gutters and sidewalks would be fully funded via the grant. Ms. Swenson encouraged citizens to contact the Public Works Department for details regarding the project.

MOTION by Dierck, second by Smith, to hold the June 18 workshop in a school gym in an informal, roundtable fashion.

Mr. Weed noted that a public record, including tape recordings, would have to be made of the special meeting. Because of the difficulty of providing an adequate sound and recording system at such a location, Smith withdrew her second. There was no other second. The motion died.

MOTION by Smith, second by Dierck, to continue with public comments on this topic. Leighan voted nay; Bartholomew was briefly out of the room; motion carried (5-1-1) with Bartholomew abstaining.

Marja Oosterwyck, 6428 49th Dr. NE, spoke briefly in opposition to the State Avenue project.

Councilmember Bartholomew returned to the meeting room at this point.

The Mayor called for a short recess, and then reconvened the meeting. Councilmembers Pedersen and Leighan departed the meeting at this point. Councilmember Dierck left the meeting room.

PRESENTATIONS/PETITIONS/COMMUNICATIONS

1. Proclamation: May 13 - 19, 2001 as Little League Week.

The Mayor read the proclamation into the record, proclaiming May 13-19 as Little League Week.

Councilmember Dierck returned to the meeting room.

Mr. Dennis Burman received the proclamation, thanked the city for its recognition of the 50 years of little league baseball, and invited councilmembers to the May 19 dedication of the Kent and Cedar ball field.

CONSENT AGENDA

1. Approve MAY 14, 2001 claims in the amount of \$361,255.10 paid by check Nos. 58929 through 59027.
2. Approve April, 2001 payroll in the amount of \$928,629.82 paid by check Nos. 40525 through 40710 with check No. 40710 void.
3. Reject all computer equipment bids due to the irregularity of the bids.

MOTION by Bartholomew, second by Soriano, to approve the consent agenda items. Motion carried (5-0).

ACTION ITEMS**Review Bids**

None.

Public Hearing

None.

Current Business

1. Planning commission recommendation for 116th Street Master Plan

Ms. Hirashima introduced the topic, noting the Planning Commission held a public hearing on March 27th and thereafter recommended approval. The planning document had been in the works for more than a year.

Mr. Gregg Dohrn, Bucher, Willis and Ratliff, 2003 Western Avenue, Suite 100, Seattle, explained that the recommendation before council left the alignment of the north-south boulevard open. The Planning Commission set a range and added the language that when approved development proposals came forward which were of sufficient magnitude to trigger the central boulevard, the property owners had six months within which to negotiate where that alignment would be. If the property owners could not agree, the matter would be remanded to the Planning Commission, which would avoid procedural deadlock and make the determination. He reviewed some of the other details of the plan.

Councilmember questions and comments include the following:

What was resolved about the large tract of land in the middle of this area owned by the Tribes? Mr. Dohrn responded that the Tribes had been involved throughout the process. Their interest was keeping the railroad spur for possible future needs and to keep their options open to the greatest extent

possible regarding this property. Regarding access, they desired to hold discussions with applicants as a group and not individually.

Did the property owners have anything in writing from the Tribes? No.

Did this plan preserve "freeway services" for the Kalma property? In contrast to all other parcels on the map, the Kalma property actually had its zoning in place. They could at any time bring a development proposal for that use. For that reason, the language that precluded the left turn movements at that intersection were removed from the Master Plan. If the Kalmas had a proposal and if a traffic study demonstrated that left turn movements could be provided safely at that intersection, there was nothing in the plan that prohibited that development from happening. But making left turns through two lanes of traffic was dangerous, so it was possible that as the road went to five lanes or the traffic volumes went up, a traffic engineer would dictate that the plan was not safe. At such time, the Kalma property could take access from the internal roadway on the north side.

Where would the light location be? At mid-point of the corridor.

Would there be a left turn from 36th? The decision regarding that rested with DOT, shared with the city. Left turn movements will get increasingly difficult until prohibited then would only be allowed at the light at the center point.

Was there a future plan to add left turns into the residential area to the north? No; that was eliminated based on input. There would be no direct traffic into that residential neighborhood. To go west on 116th, a driver would have to go to the central boulevard.

Was a rear exit planned from the mobile home park? The plan did not specifically provide one but there was an opportunity for that; some roadways were already there.

What was the sewer plan? Ms. Hirashima responded that it flowed to State. An extension would be required. A sewer extension to the south was also shown (in figure 14).

What was the response of the property owners to the Planning Commission's recommendation? Mr. Dohrn responded that at the last public hearing, there was only one suggestion and that was for an additional freeway access. There were no additional comments. The concerns of property owners had been addressed throughout the process. Usually in a master planning effort there were large tracts and few owners. In this case there were over 50 owners with different goals for their property and different timeframes in mind for future development. This made the planning process very challenging.

What was the timing for future development? That would depend on the property owners. Once the plan was adopted, they could go forward. Most property owners wanted to have the traffic issue resolved, especially to the south, before they proceeded with their developments.

Was 116th on the 6-year TIP to be widened? Ms. Hirashima responded that it was on the TIP but the initial funding was for design and engineering. Improvements would be planned for progressive steps.

What was the status of sewer planning from 100th to 116th? Mr. Winckler answered that for two years in a row the project had been funded but council pulled it off and proposed doing it under an L.I.D. A number of issues were raised during council review so the L.I.D. was not formed. Consensus was to wait until the Master Plan was in place then see if a development group wanted to bring it back with an L.I.D. Mayor Weiser added that one issue with the sewer had been not knowing about the road alignment or type of road to the north. L.I.D. assessments must be based on the benefit to the contributing property owners so the road alignment needed to be identified with some degree of certainty.

Regarding Figure 8, desired to see left turns into the north property and 36th until such time as traffic volumes dictated right-in/right-out only. Mr. Dohrn noted that the intent was to allow left turn movements on both the north and south sides until traffic reached such volumes that that could no longer be done safely. Figure 10 showed access at ultimate build-out. Ms. Hirashima added that Figure 9 conformed to the current Access management Plan standards. Not all of the access points were detailed.

Concerned that 36th did not have full access; what was planned for the future? Mr. Dohrn responded that the die was cast when DOT put a light at the current off-ramp. In their discussions, DOT indicated another light could not be provided so close. So left turns would be permitted as long as they could be done safely. During peak hours, for example, there would be no left turns at

36th; it would go to right-in/right-out only. The change would be dictated by traffic volumes.

If the Kalmas had a development proposal today, would DOT give them access? The maps showed DOT control up to 36th. It would depend on the magnitude of the development and how much traffic would be generated. DOT would probably not approve a signal at that intersection but for a period of time would permit left turn movements, perhaps with left-turn pockets. If there was a high volume of traffic, there would not be much room for the pocket and traffic would back up onto 116th. The lower the level of development at the site, the higher the likelihood of left turns being allowed. For a higher level of development, DOT may require right-in/right-out or encourage access via the central boulevard.

Did DOT have to accept the Master Plan? No.

DOT could utilize a new freeway access. Mr. Dohrn stated he was unaware of any such plans.

State carried 35,000 cars each day and there were 22,000 at State and 88th; what was the capacity of 116th? Mr. Dohrn did not recall but stated any development proposal would have to include a traffic study.

Had there been any discussion with the Tribes about tearing out the railroad bridge? No.

Had the plan been shown to the Fire Chief? Ms. Hirashima responded she was unsure if the Fire Department had been in attendance at the public hearing. No hammerhead was being proposed. The plan showed that the parking lots would be aligned to allow a drive aisle connection.

Who will pay for sewer and water to this area? The Plan included three possibilities: a L.I.D., developer extension, or the possibility that the city would include it in its capital improvement program.

What was the total cost of preparing the Master Plan process to date? Ms. Hirashima estimated approximately \$65,000; she agreed to provide that information to Councilmember Dierck.

If freeway services needed to take its access from the central boulevard, would DOT tailor signs to make that known? Ms. Hirashima responded that she did not know. Further clarifying the matter of the signal, she stated DOT never formally rejected an additional signal, but said if the city wanted to pursue it, it would have to follow a long process. Council had decided to move forward with the recommended cul de sac option and allow developers of properties to do traffic studies. Depending on the magnitude and type of development, a signal could be pursued. This plan did not address the final question of that signal, and this could be addressed at a later date via developer proposal.

Was there a way to model the potential negative impact of having the freeway services take their access from the central boulevard? No.

Agreed with the testimony at the Planning Commission hearing that if improvements were not made, traffic would be unbearable.

What is the access for the property at the northwest corner of 116th and State? Figure 9 shows full access for that property. The property across the street would need to negotiate with the Tribes for access. Many properties in the area would be land locked pending access over Tribal property.

What was the timetable for zoning? An area-wide rezone was anticipated so property owners would not have to pursue individual rezones.

The Mayor called for public comments.

Dorothy Kalma, 12314 55th DR NE, agreed that jurisdiction was with DOT. She asked if the city negatively viewed a traffic signal that was only 300' to 350' from the signal at 34th.

Mike Papa, 81217 24th DR NE, suggested the city plan for "c" curves and planted medians from the outset, rather than trying to implement them after traffic volumes were high.

Phyllis McKenzie, 1528 172nd Street NE, Arlington, spoke in favor of a frontage road, rather than an internal access road.

Erin Metcalf, Belmark Properties, 505 Cedar Avenue Suite B-1, supported the proposed plan.

There being no one further wishing to speak, the Mayor closed the public comment portion of the topic.

MOTION by Bartholomew, second by Dierck, to approve the Master Plan as recommended by the Planning Commission and direct the City Attorney to draft an amending ordinance to the Land Use Comprehensive Plan. Motion carried (5-0).

2. Utility service outside city limits

Mr. Weed stated there was no information in the agenda packet because if it was the consensus of the majority to not change the service of utilities, then no action was needed because those policies were already on the books. If a change in direction was indicated, then specific information would need to be provided. Mayor Weiser added that the topic had been discussed extensively at the retreat. A poll of the council then had been to bring the matter back for a motion to decide one way or another.

Councilmember Dierck stated she did not intend any change for those holding utility commitment letters; a simple clause could be inserted regarding the school district. She asserted that the Growth Management Act encouraged annexing first and did not require the city to deliver utility services outside the city. Requiring annexation prior to utility service would bring revenue into the city and would allow the city to collect school and park mitigation fees. The city was losing the taxes on PUD and phone bills and from real estate excise taxes. \$700,000 in park mitigation fees had been lost by not requiring annexation prior to utility services.

Councilmember Brennick suggested that what might have been a good decision in 1968 when the trunk line was built now generated revenue for the county, not the city. Rates went into the utility operating fund, not the city's general fund.

The Mayor opened the topic to public comment.

Ken Baxter, 1895 Liberty Lane, reminded council that the city's system was the hub for the whole north county and it had been the city's commitment to supply utilities for more than 30 years. An enormous investment had been made by the city and developers; all installations had been upsized to handle future service loads, including the \$17 Million that was spent on the last upgrade of the lagoon. Changing the policy now would cause real problems for the city and for those people in the county who had counted on the city providing utilities in its service area.

MOTION by Dierck, second by Smith, to extend the meeting to 11:30 p.m. Bartholomew voted nay; all others voted aye; motion carried (4-1).

Mike Papa stated the county did not have standards for neighborhood parks. The fees it collected were being largely spent on the Centennial Trail.

Phyllis McKenzie suggested there might be stipulations on the grant money that put in the north service line and this needed to be researched before any changes were made. Mr. Winckler responded that he was unaware of any special stipulations. Mr. Wade of Hammond, Collier, Wade-Livingstone, stated he had assisted the city in applying for that grant. The project was a 50-50 split between the city and HUD. He did not recollect any specific conditions but the project had been submitted with a map, which showed a specific service area from Arlington to Ebey Slough.

There being no one further wishing to speak, the Mayor closed the public comment portion of the topic.

MOTION by Dierck, second by Smith, to require annexation to the city prior to any future utility hookups, with exceptions for governmental facilities, such as the school district and the fire

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department, and individual hardships from failed septic tanks. Dierck and Smith voted aye; all others voted nay; motion failed (2-3).

Councilmember Brennick suggested further information was needed prior to council action. Suggestions by councilmembers and staff included: a calculation of the revenue which would have come to the city instead of the county; the loss of revenues from utility rates and connection charges; information about prior commitments, including annexation covenants, L.I.D., latecomer agreements, and agreements with the Tribes; potential legal challenges which might be brought as the result of such a change in policy.

MOTION by Brennick, second by Smith, to reschedule this topic for a workshop on July 2 to allow staff time to prepare the necessary information. Motion carried (5-0).

MOTION by Dierck, second by Smith, to allow public input at the above workshop. Motion carried (5-0).

New Business

1. Professional services agreement, wastewater treatment plant design, Tetra Tech/KCM and Hammond, Collier, Wade-Livingstone Associates, Inc.

Mr. Winckler gave a brief introduction of the topic, noting the scope of services encompassed four years of work.

MOTION by Bartholomew, second by Brennick, to continue the meeting to 12:00 a.m. Motion carried (5-0).

Randall Samstag, Senior Sanitary Engineer with Tetra Tech/KCM, presented the agenda material on the scope of work and the major phases. Phase I upgraded the wastewater treatment plant, Phase II would handle loads through 2010 and build the pipeline to Everett; Phase III dealt with future loads. The total cost of the project was approximately \$30 Million.

Councilmember Dierck suggested the workshop with the Tribes should be held prior to action on this matter. Mr. Winckler emphasized the tight schedule the city was under to meet NPDES permit requirements. If council chose to remove the Tribes portion of the project, that could be done later as the project could be structured to go either way. He strongly urged that council not delay action. Mayor Weiser added that the need for this project was not driven by growth but by the increased NPDES permit requirements.

After further discussion, the Mayor called for public comments. There were none.

MOTION by Brennick, second by Soriano, to approve the professional services agreement for the Tetra Tech/KCM, Inc. in the amount of \$4,976,492 and authorize the Mayor to execute the agreement on behalf of the city. Dierck voted nay; all others voted aye; motion carried (4-1).

MOTION by Dierck, second by Bartholomew, to extend the meeting to 12:30 a.m. Motion carried (5-0).

2. Proposal to videotape city council meetings for airing on Marysville Cable Access Channel TV 29.

Doug Buell, Community Information Officer, presented the agenda materials, suggesting the meetings of May 29 and June 11 be taped as samples. This would run unedited and provide "gavel-to-gavel" coverage. If council then chose to proceed with Option 3, Marysville would be the only city in the county to air its meetings live. Ms. Swenson noted there were limited funds in the budget for this.

Councilmember Soriano emphasized the importance for councilmembers to subscribe to a gentlemen's agreement to abstain from grandstanding. Council's sole purpose was conducting the city's business.

The Mayor called for public comments.

Tim Thometz, 8518 47th Dr. NE, supported taping the meetings and suggested fiber optics cables for carrying it had already been strung.

There being no one else wishing to speak, the Mayor closed the public comment portion of the topic.

MOTION by Dierck, second by Brennick, to accept the recommendation to tape two shows and thereafter starting live broadcasts. Motion carried (5-0).

3. Loan agreement with Public Works Trust Fund; \$50,000 – Comprehensive Water Plan

MOTION by Brennick, second by Soriano, to approve the loan agreement. Motion carried (5-0).

Legal

None.

Ordinances & Resolutions

1. An Ordinance of the City of Marysville amending Chapter 2.04 of the Marysville Municipal Code relating to time and place of council meetings.

Mr. Weed explained that councilmembers now received a flat amount for attending all regular meetings; the number of meetings was not specified. Henceforward they would receive the same amount for attending four regular meetings, rather than three. If a special meeting was scheduled, they would receive extra pay for that meeting. Councilmember Bartholomew noted that the amount of compensation councilmembers received was a separate issue.

MOTION by Dierck, second by Brennick, to approve Ordinance 2376. Motion carried (5-0).

2. A Resolution of the City of Marysville relating to procedures for the conduct of business at council meetings and repealing Resolution No. 1925

Mr. Weed reviewed the changes, which had been made in the proposed Resolution.

MOTION by Dierck, second by Smith, to adopt Resolution 2035. Motion carried (5-0).

DISCUSSION ITEMS

None.

INFORMATION ITEMS

1. Mayor's business

The Mayor announced that Robin Nelson had been promoted to City Engineer.

ADJOURN INTO EXECUTIVE SESSION

Council adjourned into Executive Session at 12:20 a.m. for the purpose of discussing two real estate matters and one personnel issue.

RECONVENE INTO REGULAR SESSION

Council reconvened into regular session at 12:55 a.m.

MOTION by Smith, second by Brennick, to settle the Whitesell matter as discussed in Executive Session. Passed unanimously (5-0).

ADJOURN

The meeting adjourned at 1:00 a.m. on May 15, 2001.

Accepted this ^{29th} 28th day of May, 2001.

David Weiss
Mayor

Perry Becker
City Clerk

Ann McAverell
Recording Secretary